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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,218	02/27/2002	Sunit B. Mangalvedhekar	075635.0104	6967

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EXAMINER
NGUYEN, HAI V

ART UNIT	PAPER NUMBER
2142	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/09/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/09/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/085,218	MANGALVEDHEKAR, SUNIT B.
	Examiner	Art Unit	
	Hai V. Nguyen	2142	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 March 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-14,16-25,27-35 and 37-46* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 4-14, 16-25, 27-35 and 37-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the communication received on 21 March
2007.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set
forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this
application is eligible for continued examination under 37 CFR 1.114, and the fee set
forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action
has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 21
March 2007 has been entered.

3.   Claims 3, 15, 26, 36 are cancelled.

4.   Claims 1, 2, 4-14, 16-25, 27-35 and 37-46 are presented for examination.

Response to Arguments

5.   Applicant's arguments, see Applicant's remarks, pages 10-12 filed on 21 March
2007 with respect to the rejection(s) of claim(s) 1, 13, 24, and 37 under 35 USC 102(e)
rejection have been fully considered and are persuasive. Therefore, the rejection has
been withdrawn. However, upon further consideration, a new ground(s) of rejection is
made in view of Hughes US patent # 6,584,009 B1, Siefert US patent # 5,721,906,
Meske et al. US patent # 5,530,852.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e)

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 1, 2, 4-14, 16-25, 27-35 and 37-46 are rejected under 35 U.S.C. 102(e)

as being anticipated by **Hughes** US patent # **6,584,009 B1**.

8.   As to claim 1, Hughes discloses a method of accessing, by a client, one or more

files *(Fig. 2, computer programs or application programs)* residing in a server *(Fig. 2,*

server 204) comprising:

requesting, by the client, downloading of a selected file *(an OS file or a configuration*

file) residing in the server, the selected file needing access, either directly or indirectly,

to at least one associated file *(an application file or a program file or a file or a*

frequently-used file/application) in order *(in hierarchical order, col. 8, lines 55-62)* to be

used *(col. 7, line 61 – col. 8, line 62),* the selected file including instructions *(Fig. 14,*

interdependent programs sharing a common dependency codes, col. 23, line 53 – col.

24, line 55) to access the at least one associated file, the selected file further being

associated with at least one profile *(one of the user's profiles, col. 7, lines 60-64)*

identifying the least one associated file *(Fig. 2, 14, col. 5, line 5 – col. 8, line 50; col. 10,*

lines 21-34; Fig. 14, col. 23, line 13 – col. 24, line 64);

in response to requesting downloading of the selected file, initiating downloading of the

selected file and automatically determining the identity of and initiating downloading of

the at least one associated file of the selected file to occur at substantially the same

time as the selected file *(Fig. 2, 13, 14, col. 5, line 5 – col. 8, line 50; col. 10, lines 21-*

34; Fig. 13, col. 21, lines 15-25; Fig. 14, line 13 – col. 24, line 64); and

initiating storing, in a memory *(Fig. 3, USB hard drive 340, col. 10, lines 24-43)*

associated with the client, of the selected file and the at least one associated file under

respective local identifiers *(codes or identifiers or links) (Fig. 2, 13, 14, col. 5, line 5 –*

col. 8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, lines 15-25; Fig. 14, col. 23, line 13 –

col. 24, line 64).

The heart of the invention is providing accessing a particular file or program and

all of its associated files automatically and efficiently by the computer users. Hughes

exactly was directed to the same purpose, i.e., to provide accessing a computer

programs files, applications programs files and their update files anywhere in the

network automatically and easily by the computer users.

9.   As to claim 2, Hughes discloses maintaining, by a document manager residing in

the server, respective profiles of the one or more files *(Fig. 2, 13, 14, col. 5, line 5 – col.*

8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, lines 15-25; Fig. 14, col. 23, line 13 – col.

24, line 64).

10.   As to claim 4, Hughes discloses, wherein the profile identifies the at least one

associated file by the Uniform Resource Locator *(a link or a location reference, col. 21,*

lines 25-60; col. 22, lines 55-60) (Fig. 2, 13, 14, col. 5, line 5 – col. 8, line 50; col. 10,

lines 21-34; Fig. 13, col. 21, lines 15-25; Fig. 14, col. 23, line 13 – col. 24, line 64).

11.   As to claim 5, Hughes discloses, wherein automatically determining the identity

of, and initiating downloading of, the at least one associated file comprises examining a

profile of the selected file, the profile identifying the at least one associated file *(Fig. 2,*

13, 14, col. 5, line 5 – col. 8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, lines 15-25;

Fig. 14, col. 23, line 13 – col. 24, line 64).

12.   As to claim 6, Hughes discloses, maintaining a respective status file *(col. 15,*

lines 15-30; col. 17, lines 19-38) for each of the selected file and the at least one

associated file, each status file indicating one or more properties of the respective

selected file and the at least one associated file *(Fig. 2, 13, 14, col. 5, line 5 – col. 8, line*

50; col. 10, lines 21-34; Fig. 13, col. 21, lines 15-25; Fig. 14, col. 23, line 13 – col. 24,

line 64).

13.   As to claim 7, Hughes discloses, wherein the status file is a cookie file *(a*

configuration file) (Fig. 2, 13, 14, col. 5, line 5 – col. 8, line 50; col. 10, lines 21-34; Fig.

13, col. 21, lines 15-25; Fig. 14, col. 23, line 13 – col. 24, line 64).

14.   As to claim 8, Hughes discloses, wherein the status file consists solely of a

timestamp *(col. 18, lines 10-19)* indicative of a time of download *(Fig. 2, 13, 14, col. 5,*

line 5 – col. 8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, line 15 – col. 2, line 67; 25;

Fig. 14, col. 23, line 13 – col. 24, line 64).

15.   As to claim 9, Hughes discloses, wherein the status file comprises a timestamp

indicative of a time of download, a check out status, and respective identities of the at

least one associated file *(Fig. 2, 13, 14, col. 5, line 5 – col. 8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, line 15 – col. 2, line 67; 25; Fig. 14, col. 23, line 13 – col. 24, line 64)*

16.   As to claim 10, Hughes discloses, wherein the memory associated with the client is a root of a cache, the root identified by a root directory identifier *(Fig. 2, 13, 14, col. 5, line 5 – col. 8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, line 15 – col. 2, line 67; 25; Fig. 14, col. 23, line 13 – col. 24, line 64)*.

17.   As to claim 11, Hughes discloses, wherein each of the respective local identifiers comprises the root directory identifier *(Fig. 2, 13, 14, col. 5, line 5 – col. 8, line 50; col. 10, lines 21-34; Fig. 13, col. 21, line 15 – col. 2, line 67; 25; Fig. 14, col. 23, line 13 – col. 24, line 64)*.

18.   As to claim 12, Hughes discloses, generating *(plugging-in)*, by the client, the one or more files *(applications)* for uploading to the server *(Fig. 14, col. 23, line 13 – col. 24, line 64)*;

generating *(including)*, by the client, a profile *(a user profile)* associated with each of the one or more files *(Fig. 14, col. 23, line 13 – col. 24, line 64)*; and

uploading, by the client, the profile and the each of the one or more files to the server *(the server recognizing the a common plug-in code for the applications included in the user profile, Fig. 14, col. 23, line 13 – col. 24, line 64)*.

19.   Claim 13 introduces identical limitations of claim 1, 4; therefore, it is rejected under the same rationale as in claims 1, 4.

20.   Claims 14-23 introduce identical limitations of claims 2-3, 5-12; therefore, they are rejected under the same rationale as in claims 2-3, 5-12.

21.   Claim 24 corresponds apparatus claim of claim 1; it is rejected under the same

rationale as in claims 1.

22.   Claims 25-35 introduce identical limitations of claims 2-12; therefore, they are

rejected under the same rationale as in claims 2-12.

23.   Claim 37 corresponds the system claim of claim 1; it is rejected under the same

rationale as in claims 1.

24.   Claims 38-46 introduce identical limitations of claims 4-12; therefore, they are

rejected under the same rationale as in claims 2-12.

25.   --------

Claim Rejections - 35 USC § 102

26.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b)

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

27.   Claims 1-2, 4-11, 13-14, 16-22, 24-25, 27-34, and 37-45 are ejected under 35

U.S.C. 102(b) as being anticipated by **Seifert** US patent # **5,721,906.**

28.   As to claim 1, Seifert discloses a method of accessing, by a client *(Fig.1, PC)*,

one or more files *(Fig. 1, resources)* residing in a server *(Fig. 1, server)* comprising:

requesting, by the client, downloading of a selected file residing in the server, the

selected file needing access, either directly or indirectly, to at least one associated file in

order to be used, the selected file including instructions to access the at least one

associated file, the selected file further being associated with at least one profile

identifying the least one associated file *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57)*;

in response to requesting downloading of the selected file, initiating downloading of the selected file and automatically determining the identity of and initiating downloading of the at least one associated file of the selected file to occur at substantially the same time as the selected file *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57)*; and

initiating storing, in a memory associated with the client, of the selected file and the at least one associated file under respective local identifiers *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36)*.

29.   As to claim 2, Seifert discloses maintaining, by a document manager residing in the server, respective profiles of the one or more files *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36)*.

30.   As to claim 4, Seifert discloses, wherein the profile identifies the at least one associated file by the Uniform Resource Locator *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36)*.

31.   As to claim 5, Seifert discloses, wherein automatically determining the identity of, and initiating downloading of, the at least one associated file comprises examining a profile of the selected file, the profile identifying the at least one associated file *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36)*.

32.   As to claim 6, Seifert discloses, maintaining a respective status file for each of

the selected file and the at least one associated file, each status file indicating one or

more properties of the respective selected file and the at least one associated file *(Figs.*

1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23;

col. 5, lines 30-36).

33.   As to claim 7, Seifert discloses, wherein the status file is a cookie file *(Figs. 1A-*

1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23; col.

5, lines 30-36).

34.   As to claim 8, Seifert discloses, wherein the status file consists solely of a

timestamp indicative a time of download *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines*

31-40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36).

35.   As to claim 9, Seifert discloses, wherein the status file comprises a timestamp

indicative of a time of download, a check out status, and respective identities of the at

least one associated file *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-40; col. 11,*

lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36).

36.   As to claim 10, Seifert discloses, wherein the memory associated with the client

is a root of a cache, the root identified by a root directory identifier *(Figs. 1A-1E, col. 4,*

lines 15-45; col. 15, lines 31-40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines

30-36).

37.   As to claim 11, Seifert discloses, wherein each of the respective local identifiers

comprises the root directory identifier *(Figs. 1A-1E, col. 4, lines 15-45; col. 15, lines 31-*

40; col. 11, lines 10-57; col. 23, lines 14-23; col. 5, lines 30-36).

38.   Claim 13 introduces identical limitations of claim 1, 4; therefore, it is rejected

under the same rationale as in claims 1, 4.

39.   Claims 14, 16-22 introduce identical limitations of claims 2, 5-11; therefore, they

are rejected under the same rationale as in claims 2-3, 5-11.

40.   Claim 24 corresponds apparatus claim of claim 1; it is rejected under the same

rationale as in claims 1.

41.   Claims 25, 27-34 introduce identical limitations of claims 2, 4-11; therefore, they

are rejected under the same rationale as in claims 2, 4-11.

42.   Claim 37 corresponds the system claim of claim 1; it is rejected under the same

rationale as in claims 1.

43.   Claims 38-45 introduce identical limitations of claims 4-11; therefore, they are

rejected under the same rationale as in claims 4-11.

Claim Rejections - 35 USC § 103

44.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

45.   Claims 12, 23, 35, and 46 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Seifert** US patent # **5,721,906** as applied to claims 1-11 above, and

further in view of **Meske** et al. US patent # **5,530,852**.

46.   As to claim 12, Seifert does not explicitly disclose, generating, by the client, the

one or more files for uploading to the server; generating, by the client, a profile

associated with each of the one or more files; and uploading, by the client, the profile

and the each of the one or more files to the server.

Meske disclose generating a profile for a selected file, the profile identifying one of

associated file to be accessed by the selected file and transmitting to the server the

selected file, the profile, and the one associated file *(Meske, Figs. 1-2, col. 2, line 20 -*

col. 3, line 9; Fig. 6, col. 6, line 52 – col. 7, line 29) for the purpose of achieving more

efficiency in resource retrieval *(Meske, col. 2, lines 15-20)*.

47.   Claims 23, 35, 46 introduce identical limitations of claim 12; therefore, they are

rejected under the same rationale as in claim 12.

48.   Further references of interest are cited on Form PTO-892, which is an

attachment to this action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai.V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hai V. Nguyen
Examiner
Art Unit 2142

**ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER**